



**City Council  
Regular Meeting  
April 17, 2007  
7:00 P.M.**

**The regularly scheduled meeting of the Trinity City Council was held on Tuesday, April 17, 2007 at the Trinity Memorial United Methodist Church. A quorum was present.**

**MEMBERS PRESENT:** Mayor Frances Andrews, Council members Karen Bridges, Phil Brown, Barbara Ewings, Bob Labonte, Barry Lambeth, Dwight Meredith, Edith Reddick, and Miles Talbert.

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** City Manager Ann Bailie; City Attorney, Bob Wilhoit; City Planning/Zoning Administrator, Adam Stumb; City Clerk/FO, Debbie Hinson; Randy McNeill, Davis-Martin-Powell and Associates; Members of the Press; and other interested parties.

**Call to Order**

Mayor Andrews called the April 17, 2007 Regular Meeting of the Trinity City Council to order at 7:01 pm.

**Pledge of Allegiance**

Mayor Andrews led the Pledge of Allegiance.

**Invocation**

The invocation was given by Council member Lambeth.

**Welcome Guest and Visitors**

Mayor Andrews welcomed and thanked all persons in attendance and for their interest in the City.

**Public Concerns and Commendations**

**Martha Stunda, President of Friends of Trinity:** Ms. Stunda asked Council to reconsider their vote concerning recognition of citizens that were awarded the Yard of the Month. The Friends of Trinity awards this recognition from April through October. We feel this is very important to the persons who receive this. We feel this recognition builds community pride, community spirit, and helps fosters good relationship among the citizens of Trinity. It would only take just a few minutes to recognize these persons. We feel this is important for the community relationships. It also helps citizens feel good about where they live and helps to beautify the area in which we live.

**Donald Gray, 4980 Darr Rd:** Mr. Gray discussed his conversation with Council members 2 months prior concerning a tree located on the right of way that was leaning toward someone's house. Since contractors have installed sewer the tree does not show signs of growth. He discussed a tree that had fallen on the opposite side of the same house last night during the strong winds. It was Mr. Gray's opinion that if the wind had blown from the opposite direction the tree that he had discussed both earlier and tonight would have fallen on the house being discussed. Mr. Gray advised Council that he had not been contacted nor had the tree been removed since his earlier conversation 2 months ago when he was advised that the tree would be removed. It was his suggestion that this tree be removed since it was in the right of way. The contractor cut the tree that fell last night today. I had an occasion to discuss the tree in question and asked the contractor when the tree on the opposite side would be removed. The contractor advised me that he had not been advised to remove this tree. Mr. Gray asked that Council pursue this matter before it became a problem for his neighbor and the City.

There was a brief discussion between Mayor Andrews and Mr. Gray concerning the location of the tree. Mr. Gray advise the Mayor the tree was located next door to his address of 4980 Darr Road and believed the address would be 4978 or 4982 Darr Road.

Mr. McNeill advised Council that he would follow up on this complaint.

### **Opening Comments from Members of Council**

Council member Talbert discussed the complaint issued by Mr. Gray and advised him that he felt the contractor would take care of the problem. He discussed a similar problem that had occurred at his home which the contractor had to correct.

Mayor Andrews advised Mr. Gray that the City would make every effort to take care of his problem discussed tonight.

### **Recognition/Proclamations**

#### **1. Graffiti Fighters – Lucille, Ashlee and T.J. Cates (*Mayor Fran Andrews*)**

Mayor Andrews discussed sign damage at the Community Park from graffiti and paint balls and how Ms. Cates and her son T.J and daughter Ashlee cleaned this sign. The City wants to recognize them for their efforts. Since they could not be here the City will forward this recognition to them by mail.

#### **2. Week of the Young Child – April 22 through April 28, 2007 (*Mayor Fran Andrews*)**

Mayor Andrews declared that the City of Trinity recognize April 22 through April 28, 2007 as The Week of the Young Child.

#### **3. Municipal Clerks Week – April 29 through May 5, 2007 (*Mayor Fran Andrews*)**

Mayor Andrews recognized April 29 through May 05, 2007 as Municipal Clerks Week and gave special recognition to Debbie Hinson and Diana Schreiber for their work as clerks for the City of Trinity.

### **Reports/Request for Funding**

#### **4. Report and Funding Request for Piedmont Triad Partnership (*Don Kirkman, President & CEO*)**

Mr. Kirkman thanked Mayor Andrews and Council for their continued support of this organization. The City represents regionalism in this County and because of your proximity to your neighboring counties and cities it is extremely important to your city and your viability and prosperity of your citizens. This is the purpose of our organization to focus on the entire Piedmont Triad Region. In the handouts given to you I have included materials concerning regional orientation in a global economy. Because of this it is extremely important that we have a region that is attractive and that works together in a calibrate manner across city and county boundaries to promote the entire Piedmont Triad Region as we try to help with growth income, growth prosperity for our citizens, and grow the tax base for our local governments.

In conclusion, I am here to share with you our appreciation for your continued support and answer any questions that you may have and respectfully request that you consider our organization for funding in your 2007-2008 budget.

***Motion by Council member Ewings to grant funding in the amount of \$ 500.00 for the Fiscal Year 2007-2008 seconded by Council member Talbert and approved unanimously by all Council members present.***

#### **5. Annual Report and Funding Request for Archdale Library (*George Taylor, Archdale Branch Manager*)**

Mr. Taylor discussed the information included in a handout provided to Council (**listed below**).

### ***2006***

- 16,700+ registered borrowers  
(74,604 total for the County; 5,193 with 27370 Zip Code)
- 80,247 items checked out in 2006

- 35,000 items in the collection
- Over 22,000 computer uses
- Archdale/Trinity Chamber of Commerce Leadership/Small Business Collection (over 50 titles and growing)
- First free wireless internet access in Archdale/Trinity
- Purchased over 350 children's books with Trinity City funds
- Added two public computers
- Received a \$17,000 grant from the State Library to market to Teens in Randolph County (includes new Teen Library card)
- Over 700 children and teens participated in the 2006 summer Reading Program
- <http://www.flickr.com/photos/archdale> -- for pictures of the library, programs and displays
- <http://archdale.blogspot.com/> -- the Archdale Public Library blog

#### ***Goals for 2007-2008***

- Small Business/Leadership Collection (funding from the library, First National Bank and the Chamber)
- Homework support (public schools, home schools and RCC-Archdale), including computers dedicated to research databases
- Adult fiction, nonfiction and children's picture books

At the end of his presentation Mr. Taylor thanked Council for their continued support and respectively requested that Council consider the funding request for the Archdale Library.

***Motion by Council member Talbert to approve the request in the amount of \$5,000 for the fiscal 2007-2008 budget seconded by Council member Ewings and approved unanimously by all Council members present.***

#### **Consent Agenda**

All items on the Consent Agenda are considered routine and will be enacted by one motion without discussion. If a City Council member requests discussion of an item, the item will be removed from the Consent Agenda and considered separately.

6. **Consideration of minutes: March 13, 2007 City Council Pre-Agenda Meeting**
7. **Consideration of minutes: March 20, 2007 Regular City Council Meeting**
8. **Resolution for Signatory Form and Check Signatures (CDBG Hook-up Grant)**

Hearing no changes to the Consent Agenda, ***Motion by Council member Brown to approve the Consent Agenda seconded by Council member Talbert and approved unanimously by all Council members present.***

#### **Unfinished Business**

*None*

#### **New Business**

9. **Wastewater Projects Update (Randy McNeill, Davis-Martin-Powell & Assoc.)**

Mr. McNeill discussed the Monthly Projects Progress Report and Preliminary Completion Schedules (listed below)  
**Scan into minutes:**

After the review Council member Lambeth asked that Mr. McNeill get with the appropriate parties and take care of any items such as the tree issue presented tonight prior to having them become an item on the punch lists.

Mr. McNeill advised Council that he would investigate the issue discussed tonight and would continue to address items such as this per Council's request.

**10. Consider Change Order for Phase 2 Pump Station Construction (Randy McNeill)**

Mr. McNeill advised Council this item dealt with moving a pump station that was originally planned to be installed on the south side of Welborn Road. It will serve a few homes in the Phase 2 area and the Hopewell School site. Because we were unable to acquire the site for this pump station on the south side as originally planned we have moved the site location to the north side of Welborn on school property. The City Attorney and Right of Way Agent are currently working with the school staff to get the property released to the City

The contractor has reviewed the revised plans and has provided us new quotations for providing the work. The total costs of the new work are \$192,685. This change is approximately \$20,000 more than the original bid received seven (7) to eight (8) months ago. The scope of this project was changed some as well to include more quantity that originally bid. There will be a net savings on this project overall because the City will not have to install a gravity sewer and force main underneath the road. The net overall costs will be approximately \$184,000 in additional work to be added to the contractor. The contractor has also asked for a 120 day extension to gather the materials and complete the work. The original contract was due to be complete by the end of February 08.

Mr. McNeill advised Council that his firm recommended approval of the Change Order as presented.

***Motion by Council member Lambeth to approve the change order as recommended seconded by Council member Brown and approved unanimously by all Council members present***

**11. Consider modification of Sewer Installation Phases and request for additional USDA funding (Randy McNeill)**

Randy discussed the map presented on the screen to Council and the public advising members that Phase 1 was constructed with Grant monies received in 1998. The Colonial Heights project was constructed using City funds; the Darr Road project is being completed with CDBG Funds and City funds. Phase 2 is now under construction and is the first project that will use a portion of the 15 million dollar bond referendum monies passed. This project consist of approximately of 1 5 million dollars of loan monies and 1.8 million in Grant funding with the remainder being paid by City Funds.

The next step was originally planned as Phase 3 with 3 different sections made up of the Lakewood, Jerry Street, and Wood Acres neighborhoods. As time progressed over the last 2 years the cost of this project has increased 1.5 million dollars to 10 million dollars. Our funding agency has offered a 5 million dollar loan to help fund some of these costs. We have asked the funding agency to redirect the 5 million dollars to what we have defined as Contract 1 and 2 of this project. We have reduced the scope of phase 3 and have delayed the start date for when the work will take place in the Wood Acres neighborhood. This will change this project to 7.5 million dollars for contracts 1 and 2 of Phase 3 with a 5 million dollar loan to help offset the costs incurred. The project know originally as 4 will now become 4-A. We will take the remaining project in Phase 3, rename it to 4-A and add to it 2 pieces of which was also another part of Phase 4. One of these pieces serves the property across the property across the road from NC Highway 62. By accelerating this portion of Phase 4-A we will be able to provide the service to the Surret/NC Highway 62 corridor, and will go through City property. This will allow us to pick up the revenues for the 3 schools in this area since they all currently pump their wastewater to the High School pump station that is then pumped to the City of Archdale. We also accelerated another portion of this project that includes Merle Drive. This portion was accelerated because it is denser and a more compact area as well as adding more customers for each dollar spent.

We are now recommending that we apply for an additional 5 million dollars allocation of the Bond Referendum to finance the 4-A project. This will carry out the project dates approximately 4 years. Our funding agency has agreed to this concept and our next step will be to submit to them a formal application request. The application will require a minor change to our Preliminary Engineering Report because it requires that we show the parcels being removed, how we plan to repay the dollars loaned, how many customers will be generated, and they will allocate monies. We are trying to get this completed in order to be considered in their October 07 funding cycle.

Council member Lambeth asked where the 4A project would stop. Mr. McNeill advised Council advised members that section would stop on the curved road going to the high school.

Council member Bridges discussed the vacant property located in the Wood Acres neighborhood and the expense to install sewer on undeveloped property. It was her opinion that it was more economical to complete the Merle Drive area and the costs were less.

Mr. McNeill advised Council members that the City could always approach the funding agency with these types of questions. However, they base their funding on the previous schedule and we have now asked them if we could make the changes discussed tonight. We would have asked them to review the project again if the project scope changed again. He also discussed easement acquisitions that had been forwarded to the Attorney. The City has paid for the design fee for Wood Acres but the design has not been finalized so the easement acquisition process has not started.

Manager Bailie asked Mr. McNeill if all went smoothly what was his projected completion date for Phase 4A. Mr. McNeill advised Council that without facts the approximate time for completion would be approximately 4 years.

With no other questions, Mayor Andrews reviewed the options for motions concerning this item. Mayor Andrews advised Council that they could make a motion to include all 3 items or complete each item separately.

Manager Bailie advised Council these were housekeeping items but represented official actions taken in regards to what Mr. McNeill just discussed. If you are in agreement with what Mr. McNeill just proposed the following is a list of action items that need to be approved.

1. **Apply the 5 million USDA loan approved for Phase 3 (contracts 1-3 to Phase 3 /contracts 1 and 2 only.**
2. **Create new Phase 4A by combining Phase 3/Contract 3 with part of Phase 4 as proposed by Davis Martin Powell**
3. **Apply for 5 million loan for the new Phase 4.**

***Motion by Council member Talbert to accept all 3 items as reviewed by Manager Bailie, seconded by Council member Lambeth and approved unanimously by all Council members present.***

**12. Randolph County School Board's Request for Sewer Service (Ann Bailie, City Manager)**

Manager Bailie advised Council that an official request had been received to provide sewer service to the new school located on Finch Farm Road. Staff recommends approval of this request subject to development of a sewer agreement that would be acceptable to both parties.

***Motion by Council member Brown to approve the request subject to execution of a sewer agreement, seconded by Council member Lambeth and approved unanimously by all Council members present.***

**13. Certification of Sufficiency of Petition for Road Improvements in Turnpike Industrial Park (Debbie Hinson, City Clerk)**

Ms. Hinson advised Council that she was working closely with Mr. Dancy to obtain the remainder of the information needed to complete this item. She advised members that if all went as planned this item should be ready for presentation at the May meeting.

***\*\*\* This item was removed from the Agenda due to the incompleteness of the Petition. \*\*\****

**14. Proposal to Analyze Roads in Turnpike Industrial Park (Randy McNeill)**

Mr. McNeill discussed conversation that took place concerning this item at an earlier meeting. At that time Council decided that the Certificate of Sufficiency needed to be issued prior to proceeding with action on this item.

Mr. McNeill discussed the time line for this project. He advised Council that after action was taken on this item authorizing his firm to bring in the geotechnical firm to complete some tests and provide us with a report, our firm will use his information to develop a cost estimate for this project to present to Council for your consideration.

2 months for geotechnical firm to complete their work

1 month to prepare costs estimates and for Council review and consideration

90 days for design process

1 month to award bids

3 or 4 month window for construction

It was Mr. McNeill's analysis this project would be at least a nine (9) month process. He advised Council that is was almost too late to get this project underway in order for paving to be completed prior to the winter weather. This means that the City will have a little more flexibility and can use the next 2 to 3 months to prepare the information and be ready to begin pavement on this project in the spring of 2008. The process can be started any time after the petition is certified but it is our recommendation that construction be delayed until early next spring.

Manager Bailie advised Council that Davidson Water had submitted a proposal to install water lines that would provide water down Pikeview Court, the main road inside the park. There is water service to one of the roads within the park. We would like for this project to be completed prior to paving. By delaying paving in this project until the spring it will allow the water lines to be installed. If approved and completed this project along with the Davidson Water project will bring water to the area as well as improved roads; however the sewer is not included at this time in the project.

Mr. McNeill felt it was important that the business owners, news press, as well as the public, be made aware that if some of the businesses located in this area plan on creating jobs they need to contact the City. This is the criteria for applying for grant monies that may be available. There is money available at the state level for projects with job creation.

There was discussion between Council members concerning the ability for the City to provide sewer service to this area in the future. Mr. McNeill advised Council members that some of the sewer would be gravity sewer; however Pikeview Street would require a pump station.

Council member Labonte discussed the availability of grants that may be available to provide hydrants to the area of this park that did not currently have any. Mr. McNeill discussed the options that would be reviewed by Davidson Water when considering what size of line to install. This is one of the highest spots in the Davidson Water Watershed. Regardless of the size of the line this will affect the pressure that is available to this area. The pressure is created by the height of the water difference in the lines and the location of an elevated tank. It was his opinion that Davidson would install a 6" line with hydrants but this would not provide enough pressure for sprinkler systems or the location of industrial buildings. The cost to provide that service would be something that each industry will have to consider individually.

**15. Closed Session pursuant to NCGS §143-318.11(6) - Performance Evaluation of City Manager  
(Councilman Barry Lambeth, Personnel Committee Chairman)**

Mayor Andrews opened this item and called for a motion to go into Closed Session.

***Move to motion by Council member Lambeth to go into Closed Session pursuant to NCGS §143-318.11(6) for Performance Evaluation of the City Manager, seconded by Council member Ewings and approved unanimously by all Council members present.***

Upon returning to Council Chambers, ***Motion by Council member Meredith to return to open session, seconded by Council member Labonte, and approved unanimously by all Council members present.***

At this time Personnel Committee Chairman Lambeth advised Council that the Personnel Committee had recommended the City Manager Salary be increase to \$68,000.00 annually and ***made the motion to approve the recommendation of \$68,000.00, seconded by Council member Bridges. The vote was as follows:***

**Ayes**

Council member Bridges  
Council member Ewings  
Council member Lambeth  
Council member Labonte  
Council member Reddick

**Nays**

Council member Brown  
Council member Meredith

**Abstention**

Council member Talbert

***Council member Talbert's vote is recorded as an "aye". The City Council voted to award the City Manager an annual salary of \$68,000.00 on a 5 to 2 vote.***

## **Business and Closing Comments from Mayor and Council**

Mayor Andrews discussed the Independence Day Celebration and the City's tenth birthday was scheduled for Saturday June 30<sup>th</sup>, 2007. She advised those present that volunteer help was needed for this project.

## **Business from City Manager**

### **▪ Procedure for issuing Special Use Permits (Bob Wilhoit, City Attorney)**

Manager Bailie discussed conversation that took place at a prior Pre-Agenda Meeting. At that time, Council directed staff and the City Attorney to provide a survey on what other municipalities do concerning this item. This was completed and included in your Agenda packet.

Attorney Wilhoit said the City used a 2 prong process to process Special Use Permits. The action taken on this type of permit is quasi-judicial in which a witness is sworn and can also include cross examination. This item was brought up by the Planning board and the possibility of Council's desire to explore delegation of this task to one governing body rather than the 2 step process currently being used. Attorney Wilhoit discussed the survey included in the packet that listed the different processes used by other municipalities.

Attorney Wilhoit discussed notes from David Owens concerning legislative zoning procedures. He notes that usually zoning appeals, variances, or special use permits are sent to the Board of Adjustments since they are al quasi-judicial.

There was further discussion on why this topic of discussion originated and any problems that may occur if Council left the process as is with no changes. Attorney Wilhoit advised Council there were no problems with the current procedure used by the City of Trinity. Some boards have changed because they feel this is a duplication of the process since witnesses can be cross examined and evidence that is presented at one hearing may not be quite the same at the next hearing. This process would serve to streamline the process currently used by the City.

*After further discussion concerning the pros and cons of this change it was the general agreement not to make changes to this item at this time.*

### **▪ Installment payments for demolition project (Hinson)**

Manager Bailie advised Council this item addressed the house located on Rockford that needed to be removed and the willingness of the owner to make payments to the City in order to have this house removed expediently. Manager Bailie turned the discussion over to Ms. Hinson to discuss the financial arrangements computed for repayment of the funds.

Ms. Hinson discussed the computation used to calculate the charges for this proposal. The total cost is \$3,667.00 and includes an administrative cost of \$567.00. The repayment schedule is for 41 payments at \$87.31 and 1 final payment of \$87.29.

After a brief discussion concerning the alternate quotes received for completion of this work, *motion by Council member Bridges, seconded by Council member Lambeth and approved unanimously by all Council members present.*

## **Manager Comment**

Manager Bailie thanked Council for their consideration and increase in her annual salary.

## **Trinity Zip Codes**

Mr. Stumb has sent the addresses to the postal service in preparation for the surveys to be mailed. The impression that he received was an indication that they would be going out shortly.

## **K Hovnanian Homes**

Mr. Kevin Muldowney advised me late this afternoon that the Hadley Park proposal for this development has fallen through and the contract has lapsed. The softening of the residential market as well as the costs to develop the lots dictated the reasoning not to pursue this development.

## **Budget**

The Budget Committee and I met last week to discuss the annual budget for 07-08. We have another budget meeting scheduled for Tuesday, April 24 at 4:00 p.m. at City Hall.

**Adjournment**

With no other business to discuss, *motion by Council member Ewings to adjourn the April 17, 2007 Regular Council Meeting at 8:25:44pm, seconded by Council member Meredith and approved unanimously by all Council members present.*

**These minutes were approved as written at the May 15, 2007 Regular City Council Meeting upon motion by Council member Bridges, seconded by Council member Reddick and approved unanimously by all Council members present.**

\_\_\_\_\_  
**Fran Andrews, Mayor**

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**Debbie Hinson, City Clerk**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Date**